NOTICE OF FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION

OF

COVENANTS, CONDITIONS AND RESTRICTIONS FOR SAGEWILLOW HOMEOWNERS ASSOCIATION

THIS NOTICE OF FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SAGEWILLOW HOMEOWNERS ASSOCIATION ("Amendment") is made this 27 day of September. 2000, by Sagewillow Homeowners Association, Inc., ("Association")

WHEREAS, a Notice of Addition of Territory and Supplemental Declaration of Covenants, Conditions and Restrictions For Sagewillow Homeowners Association was recorded on February 14, 1995 in the office of the Blaine County Recorder, Blaine County, Idaho, as Instrument No. 375704, ("Declaration"), affecting real property described as follows:

Lots 1-22 and Parcels C, D, E, F, G, H, I, J & K of Sagetvillow Subdivision, Blaine County, Idaho, as shown on the official plat thereof, recorded July 27, 1994, as Instrument No. 368709, records of Blaine County, Idaho ("Sagetvillow Plat").

WHEREAS, Sagewillow, Inc. ("Sagewillow") was the original Declarant under that Declaration and caused the official Sagewillow Plat to be duly filed and recorded.

WHEREAS, the Association is the Idaho non-profit corporation that was formed pursuant to such Declaration.

WHEREAS, Sagewillow and the Association have approved certain amendments to the Sagewillow Plat and amendments to said Declaration which sever Lots 1-5, Parcel C, and a part of Parcel D from the Sagewillow Plat and Sagewillow Homeowners Association and instead makes them a part of a new subdivision plat to be filed for the Arrowleaf Subdivision.

WHEREAS, the real property which the Declaration as amended by this Amendment is to encumber is located in the City of Sun Valley, County of Blaine, State of Idaho, and more particularly described in Exhibit A, attached hereto and incorporated herein by reference ("Real Property").

WHEREAS, an amended Sagewillow Subdivision Plat ("Sagewillow Subdivision Amended Plat") is or will La filed with the Blaine County Recorder to reflect the resulting changes, and the Sagewillow Subdivision Amended Plat will be filed prior to the recordation of this Amendment.

NOTICE OF FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION - 1

WHEREAS, the Declaration is hereby duly amended as a result of the filing of the Sagewillow Subdivision Amended Plat. This Amendment was properly approved by the Association in accordance with the provisions of the Declaration, specifically Article XII, Section B.2.

NOW, THEREFORE, the Association hereby declares that, with respect to the Real Property as defined in this Amendment, the Declaration is hereby amended only as follows and all other provisions of said Declaration not inconsistent with the following provisions shall remain in full force and effect:

I. DEFINITIONS. The following definitions in the Declaration are amended as follows:

The definition of Real Property as used in the Declaration and herein is amended to mean the real property located in the City of Sun Valley, County of Blaine, Sate of Idaho, and more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

The definition of Lot is amended to mean Lots 6A through 20A and 22A, as shown on the Sagewillow Subdivision Amended Plat finally recorded with the Blaine County Recorder, Blaine County, Idaho, whether or not improved. Lot shall not include any other areas shown on the Sagewillow Subdivision Amended Plat, including any Common Areas, Public Areas or Open Space Areas.

All other provisions of Article I of the Declaration shall remain in full force and effect.

II. The following provisions of Article II of the Declaration entitled REAL PROPERTY SUBJECT TO DECLARATION AND CLASSIFICATIONS shall be replaced as follows:

- A. Residential Area. The residential Lots, shown as Lots 6A through 20A and 22A on the Sagewillow Subdivision Amended Plat, shall be classified as a Residential Area and used for residential purposes as set forth in Article V in the Declaration and herein.
- B. Residential Common Areas. The road right of way, named Sagewillow Road, shown as Parcel GG on the Sagewillow Subdivision Amended Plat, shall be classified as Residential Common Area and is a private road owned by the Association and shall be used for those purposes as set forth in Article V of the Declaration and herein.
- C. <u>Open Space Areas</u>. The property, shown as Parcels E, F, HH, II, and MM on the Sagewillow Subdivision Amended Plat, shall be classified as Open Space Areas and are areas owned by the Association and shall be used for those purposes as set forth in Article VI of the Declaration.

All other provisions of Article II of the Declaration shall remain in full force and effect.

III. The following provisions of Article V of the Declaration entitled PERMITTED USES AND RESTRICTIONS FOR RESIDENTIAL AREA AND RESIDENTIAL COMMON AREAS shall be replaced as follows:

C. Sagewillow Road Right of Way.

1. Private Right of Way. Sagewillow Road, including the entire right of way shown on the Sagewillow Subdivision Amended Plat, is the road serving the Lots and is a private right of way and road belonging to the Association to provide access for ingress and egress for the Owners of Lots, their families, licensees, invitees and guests. This right of way shall also serve to connect the trails and Open Space Areas owned by the Association.

Section C.2 of Article V is hereby deleted in its entirety. All other provisions of Article V of the Declaration shall remain in full force and effect.

- IV. The following provisions of Article VI of the Declaration entitled PERMITTED USES AND RESTRICTIONS FOR OPEN SPACE AREAS AND PUBLIC AREAS shall be replaced as follows:
 - A. <u>Open Space Areas</u>. The Open Space Areas include five Parcels, Parcels E, F, HH, II, and MM as shown on the Sagewillow Subdivision Amended Plat. Each Parcel has different permitted uses and restrictions as set forth in the Declaration and herein. The permitted uses and restrictions for each of the Parcels of the Open Space Areas are as follows:
 - 1. Permitted Uses for Parcel E and HH. Except as otherwise set forth in this Section, Parcels E and HH are Open Space Areas upon which no Improvement of any kind may be made. It is the express intent of the Declarant to maintain these Parcels in a natural or open state. Notwithstanding the foregoing restrictions, fences may be placed on or around these Areas, landscaping may be installed in these Areas and a hay storage structure may be placed upon Parcel HH for elk feeding purposes in a location in the sole discretion of Declarant.
 - 2. <u>Permitted Uses for Parcel MM</u>. Parcel MM is to be used as a trail system around a portion of the Sagewillow Subdivision. The trail may not be used by motorized vehicles of any type.

- 3. Permitted Uses for Parcel II. Parcel II is designed primarily as a landscape screening and buffer area for certain Lots. Parcel II is also to be used in part as a trail system around a portion of the Sagewillow Subdivision.
- 4. Permitted Uses for Parcel F. Parcel F shall be used as an access for ingress and egress to Lot 6A and may be used as an access for ingress and egress to Lot 7A. Parcel F is also to be used as a trail system around a portion of the Sagewillow Subdivision.

Section A.5 of Article VI is hereby deleted in its entirety. All other provisions of Article VI of the Declaration shall remain in full force and effect.

- V. Paragraph F.2.a.(1) of Article VII of the Declaration entitled SAGEWILLOW HOMEOWNERS ASSOCIATION is deleted in its entirety and replaced with the following:
 - F. 2. a. (1) Maintaining Sagewillow Road and the rights of way, and maintaining Parcel F to the extent that Parcel F is used for access to any Lot, which maintenance includes, without limitation, any necessary road repairs and snowplowing.

All other provisions of Article VII of the Declaration shall remain in full force and effect.

- VL The following paragraph B.2. to Article XII is replaced as follows and the following paragraph I is added to Article XII of the Declaration entitled MISCELLANEOUS:
 - B.2. By Owner. When Declarant has less than fifty percent (50%) ownership of the Lots, the provisions of this Declaration, other than this Article, may be amended by an instrument in writing signed and acknowledged by the president and secretary of the Association certifying that such amendment has been approved by the vote or written consent of seventy five percent (75%) or more of the Owners and such an amendment shall be effective only upon its recordation with the Blaine County Recorder; provided, that in no event shall any amendment to this Declaration relating in any manner to Parcels E and HH, including but not limited to their size, configuration, uses and restrictions, be approved without the unanimous consent of the Owners who are adjacent to or abut to either one of these particular Parcels.
 - I. <u>Sagewillow Subdivision Plat.</u> All references in the Declaration to the Sagewillow Subdivision Plat shall now refer to the Sagewillow Subdivision Amended Plat.

All other provisions of Article XII of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has executed this Declaration the day and year first above written.

SAGEWILLOW HOMEOWNERS ASSOCIATION, INC.

By:

Its: President

By:

Its: Secretary

CERTIFICATION BY OFFICERS

The President and Secretary of the Association whose signatures appear on this Amendment hereby certify that the approval of this Amendment was in accordance with Article XII, Section B.2. of the Covenants, Conditions and Restrictions for Sagewillow Homeowners Association, dated February 7, 1995, and recorded February 14, 1995, as Instrument No. 375704, records of Blaine County, Idaho.

DATED this 27 day of September 2000.

SAGEWILLOW HOMEOWNERS ASSOCIATION. INC.

President

Secretari

STATE OF IDAHO)
	5 5.
County of Blaine)

On this <u>a1th</u> day of <u>Septemble</u>, 2000, before me, a Notary Public in and for said State, personally appeared EDMUND E. DUMKE, known or identified to me to be the President of SAGEWILLOW HOMEOWNERS ASSOCIATION, INC., an Idaho corporation, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in the name of and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC in and for the State of Idaho residing at Hally Idaho
Commission expired belongs

STATE OF	TRANG	_)
		S
County of	BLAINE	_)

On this <u>Zistay</u> of <u>Applembel</u>. 2000, before me, a Notary Public in and for said State, personally appeared <u>Chris CLeady</u>, known or identified to me to be the Secretary of SAGEWILLOW HOMEOWNERS ASSOCIATION, INC., an Idaho corporation, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in the name of and on behalf of said corporation

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this configurations above written.



NOTARY PUBLIC in and to the State of <u>Lasho</u> residing at <u>Maily</u> Lasho Commission expires <u>16.4.3005</u>

NOTICE OF FIRST AMENDMENT TO SUPPLEMENTAL DECLARATION - 7

EXHIBIT A

Lots 6A - 20A and 22A, and Parcels E, F, GG, HH, II. J. K. and MM of SAGEWILLOW SUBDIVISION AMENDED. Blaine County, Idaho, as shown on the official plat thereof, recorded October 3/, Zaco, as Instrument No. 44/64/ ecords of Blaine County, Idaho.

SEC 20 SEC 17 N00°02'26"W 870.97 N00'09'54"W 1185.90 246.79 "DD" COMMON OPEN SPACE ±2.21 ACRES PARCEL L14 BASIS ARROWLEAF ROAD WL7 L12 SAGECREEK SUBDIVISION LOT 1 ±1.55 ACRES LOT 2 ±1.26 ACRES OPEN 9°44'13"W LOT 3 ±1.00 ACRE COMMON SEC 21 SEC 16 9.44'13"W 1/4 CORNER ,00° PARCEL SAGEWILLOW CAMPUS ARROWLEAF ROAD (PUBLIC) ARROWLEAF ROAD ±1.68 AC. PARCEL CI (PRIVATE) UNPLATTED SAGEWILLOW CAMPUS

LEGEND

1/2" REBAR FOUND 5/8" REBAR FOUND ALUMINUM CAP FOUND

JUNE 2000

BRASS CAP FOUND CENTERLINE 20' SEWER EASEMENT CENTERLINE 20' WATER EASEMENT TIE TO BUILDING ENVELOPE CENTROID BUILDING ENVELOPE

SEWER LINE DATA
WATER LINE DATA
CENTROID LINE DATA
TRUE POINT OF BEGINNING

SCALE: 1"= 100"

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50–1326, by the issuance of a certificate of disapproval.

Date: 9-14-2000

Kofaf Witains South Central District Health Dept., EHS

1. EASEMENT FOR ACCESS ALONG ARROWLEAF ROAD (PARCEL C1) HAS BEEN GRANTED TO BENEFIT ARROWLEAF SUBDITION OF PLE SAGEWILLOW CAMPUS PLAT, RECORDED AS INSTRUMENT NO. 444646..., RECORDS OF BLAINE COUNTY, IDAHO.

2. ALL ROADS WITHIN ARROWLEAF SUBDIVISION ARE PRIVATE. THE OWNER OF ANY LOT WITHIN ARROWLEAF SUBDIVISION UNDERSTANDS AND AGRESS THAT ARROWLEAF ROAD PARCEL (C2), IS PHINATE AND THAT MAINTENANCE, REPAIR ARROWLEAF ROAD FAIL HE THE ORIGINATION OF THE OWNERS, THEIR SUCCESSIONS IN INTEREST, AND/OR THEIR THOSPHERS ASSOCIATION.

3. A NON-MOTORIZED PEDESTRIAN ACCESS EASEMENT IS HERREFY GRANTED WITHIN ALL OF PARCEL DO TO BENEFIT THE OWNER(S) OF SACEMILLOW CAMPUS, THERE SUCCESSOR IN INTEREST, AGENTS, INVIETES, AND LICENSEES. THIS EASEMENT BENEFIT INCLUDES THE RIGHT TO ACCESS SAID EASEMENT FROM ADULTING SACEWILLOW CAMPUS PROPERTY AND FROM THE RIGHT-OF-WAY OF ARROWLEAF ROAD.

4. A NON-MOTORIZED PEDESTRIAN ACCESS RASEMENT IS HEREBY GRANTED WITHIN ALL OF PARCEL DD TO BENEFIT THE OWNER'S, OF SAGEWILLOW SUBDIVISION AMENDED, THEIR SUCCESSORS IN INTRESS. THEIR AGENTS, INVITEES, AND LICKNESS THIS RASEMENT FEMELY INCLUDES THE RIGHT TO ACCESS AND LICKNESS. THIS RASEMENT FEMELY THE RIGHT. OF ANY OF ARROWINGAR FOAD.

5. A PUBLIC UTILITY EASEMENT AND PUBLIC UTILITY ACCESS EASEMENT WITHIN THE PLATTED RIGHT-OF-WAY OF ARROWLEAF ROAD, PARCEL C2, IS GRANTED HEREBY.

6. BUILDING ENVELOPE DIMENSIONS SHOWN HEREON ARE APPROXIMATE. REFER TO CITY OF SUN VALLEY MUNICIPAL CODE FOR APPLICABLE REGULATIONS.

7. UTILITY LOCATIONS SHOWN HEREON SHOULD BE CONFIRMED PRIOR TO EXCAVATION OR DESIGN.

8. ACCESS EASEMENT FOR EMERGENCY VEHICLES IS HEREBY GRANTED ON ALL OF ARROWLEAF ROAD.



ARROWLEAF **SUBDIVISION**

T4N, R18E, SEC.16, BOISE MERIDIAN. SUN VALLEY, BLAINE COUNTY, IDAHO

PREPARED FOR: SAGEWILLOW, INC.

DRAWN BY: DCS/LLJ PLOT FILE 98396SH1.DWG

DATE: 06/27/00 CO-ORD FILE 98396.CRD

PROJECT NO. 98396

PREPARED BY: BENCHMARK ASSOCIATES, P.A. P.O. BOX 733, KETCHUM, ID 83540 (208) 726-9512: 726-9514 (FAX) E-MAIL: bma@micron.net

ARROWLEAF SUBDIVISION

A REPLAT OF LOTS 1-5 AND PORTIONS OF PARCELS C AND D. SAGEWILLOW SUBDIVISION
WHEREIN A PORTION OF PARCEL C BECOMES PARCEL C2, A PORTION OF PARCEL D BECOMES PARCEL D AND LOTS 1 THROUGH 5 REMAIN UNCHANGED.
SUN VALLEY, BLAINE COUNTY, IDAHO

JUNE 2000

LINE	TABLE			CURV	E TABLE					
No.	Direction	Length		No.	Delta	Radius	Arc Length	Tangent	Chord	Bearing
L1	S23*10'54"W	55.03	1	C1	16'07'44"	476.81	134.22	67.56	133,78	S15*07'02"W
L2	N29'02'26"E	49.68		C2	8*44'23"	180.00	27.46	13.76	27.43	S22*41'55"E
L3	N45'31'36"E	87.36		C3	58*43'07"	130.00	133.23	73.13	127.48	S47*41'22"E
L4	N61*32'00"E	43.66		C4	49"38"58"	192.94	167,19	89.25	162.01	S65*20'25"E
L5	S39*02'58"E	85.45		C5	128*52'02"	70.00	157.44	146.32	126.29	N82*45'45"W
L6	S71*40'16"W	60.00		C6	21'46'52"	478.21	181.79	92.01	180.69	N21*54'55"E
L7	S40*30'56"E	158.02		C7	43*02*56"	65.00	48.84	25.64	47.70	S14'06'17"E
L8	N89*50'06"E	58.00		C8	77*58'31"	65.00	88.46	52.61	81.79	N 3*21'31"E
L9	S18*19'44"E	63.56		C9	26*26'53"	65.00	30.01	15.27	29.74	S55*34'14"W
L10	N32*48'25"E	53.06		C10	49*10'02"	65.00	55.78	29.74	54.08	535 34 14 W
L11	N07*25'43"E	13.62		C11	19'47'31"	333.38	115.16	58.16	114.59	
L12	N00*09'54"W	22.49		C12	19*47'31"	373.38	128.98			S 9*43'52"W
L13	N89*50'06"E	40.00		C13	49*10'02"	65.00		65.14	128.34	N 9*43'52"E
L14	S00*09'54"E	22.49		C14	80'00'35"		55.78	29.74	54.08	N 4°57'25"W
L15	S08*30'54"W	43.62		C14		65.00	90.77	54.55	83.57	N10*27'51"E
L16	N81*57'07"W	63.39			43*02'56"	65.00	48.84	25.64	47.70	N28*56'41"E
L17	N89*50'06"E	58.00		C16	22*11'24"	538.21	208.44	105.54	207.14	N21'42'32"E
L18	N40*30'56"W	136.58		C17	57*11'46"	130.00	129.77	70.87	124.45	N61*24'07"E
L19	S32*48'28"W	53.06		C18	12*57'01"	130.00	29.38	14.75	29.32	S83*31'30"E
L20	508*24'03"W	95.97		C19	49*38'58"	172.94	149.86	80.00	145.22	S65*20'25"E
L21	S08'24'03"W			C20	68"13"10"	35.00	41.67	23.71	39.25	N34*16*29"W
L22	S18*19'44"E	33.27		C21	3*36'12"	478.21	30.07	15.04	30.07	N 9*12'45"E
L23	S00*09'54"E	63.56								5 12 45 C
C23	300 09 34 E	36.52								

LINE TABLE	
Direction	Length
N72*49'53"W	86.42
S88*57'16"W	143.58
N60'49'34"W	213.21
N70°40'21"W	38.37
N26'06'39"W	43.44
N00*12'14"W	202.30
N13*35'46"E	26.20
N67*25'25"W	73.04
N76*44'33"W	72.27
	Direction N72'49'53"W S88'57'16"W N60'49'34"W N70'40'21"W N26'06'39"W N00'12'14"W N13'35'46"E N67'25'25"W

SEWER	LINE	TABLE

No.	Direction	Length
SL1	N67*28'01"W	261.86
SL2	N 8*42'48"E	290.35
SL3	N 6*29'17"E	256.64
SL4	N69*22'38"W	283.95

CENTROID LINE TABLE

No.	Direction	Length
CL1	S24*04'36"E	159.00
CL2	N57*39'00"E	147.86
CL3	S48*38'54"E	130.00
CL4	N51*45'54"E	146.00
CL5	N28'04'52"W	103.06

PREPARED BY: BENCHMARK ASSOCIATES, P.A. P.O. BOX 733, KETCHUM, ID 83340 (208) 726-9512: 726-9514 (FAX) E-MAIL: bma@micron.net



ARROWLEAF SUBDIVISION

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that SAGEWILLOW, INC., a Nevada corporation does hereby certify that it is the owner of a certain parcel of land described as follows:

A parcel of land in Section 16, Township 4 North, Range 18 East, Boise Meridian, Sun Valley, Idaho, more particularly described as follows:

Lots 1, 2, 3, 4 & 5 and Parcels C & D, Sagewillow Subdivision, according to the official plat thereof recorded under Instrument No. 368709, records of Blaine County, Idaho.

Pursuant to Idaho Code 50-1334, I, the undersigned, as owner, do hereby state that the lots and parcels shown hereon are eligible to receive water service from the Sun Yolley Water & Sewer District and that said district has agreed in writing to serve said lots and parcels.

It is the intention of the undersigned to and they do hereby include said land in this plat.

IN WITNESS WHEREOF, I have hereunto set my hand this 10 day of AUGUST

SAGEWILLOW, INC.

HS: PRESIDENT

ACKNOWLEDGMENT

STATE OF TOAHO COUNTY OF BLAINE

On this LOT day of AUSUST 2000, before me, the undersigned, a Notary Public for said State, personally appeared LONIVAD W. DUAKE, known or identified to me to be the person whose name is subscribed to the within instrument as the LEISIDENT of SACEWILLOW INC., a Nevada corporation and acknowledged to me that said corporation executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate first above written.

My commission expires: 10 - 4 - 2003

COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed at the request of at minutes post o'clock, on this day of , , 2000, A.D., in my office and duty recorded in book of plats at page .

Instrument No. __

SURVEYOR'S CERTIFICATE

I, GORDON K, WILLIAMS, a divided with the State of Idaho, do hereby certify that this is a true and occurate map of the land surveyed under my direct supervision, that the location of the lots has definitely been established and persentuated in strict accordance with the State of Idaho Code relating to plats and surveye.

GORDON K, WILLIAMS

OGROON K, WILLIAMS

OG

CITY ENGINEER'S APPROVAL

I, CH3M HUU , City Engineer for Sun Valley, Idaho do hereby approve the foregoing plot.

By: Elizabeth BKoberts 9/11/20

COUNTY SURVEYOR'S APPROVAL

This is to certify that I, JIM W. KOONCE, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

Sim W. Koonee

SUN VALLEY CITY COUNCIL'S APPROVAL

The foregoing plat was approved and accepted this 17th day of June 1999, 2000, by the Sun Yalley City Council, Sun Yalley, Idaha. Dand Burath

BLAINE COUNTY TREASURER'S CERTIFICATE

On this _____ day of ______, 2000, the foregoing plat was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

